

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts Southern
District of Texas
FILED**11/1/21**United States of America
v.

Case No. C-21-1326M

Nathan Ochsner, Clerk of Court

Luis Alberto Camarena

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 31, 2021 in the county of Kenedy in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 United States Code § 1324

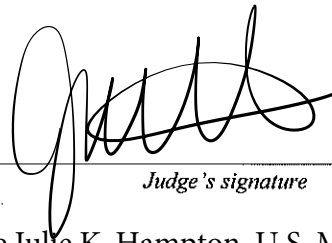
Did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

See affidavit

☒ Continued on the attached sheet.Submitted by electronic means, sworn to,
signature attested telephonically
per Fed. R. Crim. P. 4.1 and probable cause found:Date: November 1, 2021City and state: Corpus Christi, Texas*Complainant's signature*

Kevin Bittner, HSI, Special Agent

Printed name and title*Judge's signature*Judge Julie K. Hampton, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

On October 31, 2021, United States Border Patrol (USBP) Agent (BPA) Austin Howe was conducting assigned primary inspection duties at the Javier Vega Jr. United States Border Patrol Checkpoint. At approximately 7:10am, a blue 2014 International semi-tractor pulling a trailer, both bearing Texas license plates, approached the primary inspection area. There were two visible occupants in the tractor. The tractor/trailer came to a stop next to BPA Howe and the driver opened the door. BPA Howe asked the driver, later identified as Luis Alberto CAMARENA (CAMARENA), if he was a U.S. citizen. He replied that he was. BPA Howe then asked the passenger, later identified as CAMARENA's 17 year old son, if he was a U.S. citizen. He replied that he was. At that time, USBP K9 Agent Rolando Flores notified BPA Howe that his K9 partner, Tito, was alerting to the tractor and trailer and requested that the vehicle be placed in the secondary inspection area.

BPA Howe then told the driver that the dog was alerting to the vehicle and he needed to park over in the secondary inspection area. While in the secondary inspection area, BPA John Salyer told the driver to exit the vehicle so the K9 could perform the inspection. BPA David Aguilar told the passenger to exit the vehicle. While the driver and passenger were being led away from the vehicle, Agent Rolando Flores looked through the access/vent door on the rear of the trailer. Agent Flores could see several people inside the trailer. A total of 29 people were discovered in the trailer. All of the people were determined to be unlawfully present in the United States. At that time, both driver and passenger were detained for suspected alien smuggling and led inside the Javier Vega Jr. checkpoint.

CAMARENA was asked where the key to the trailer was. He stated that he didn't know anything about a key for the trailer. Agent Marshall Johnson searched the cab of the tractor and found the key to the trailer in the factory storage area in the dash of the truck along with his phone, and keys to another truck that he claimed were his.

BPA Howe contacted Homeland Security Investigations (HSI) Corpus Christi with the facts of the case. HSI Special Agents (SA) Kevin Bittner and Dan Bodiford responded to the checkpoint to continue the investigation.

SAs Bittner and Bodiford interviewed CAMARENA at the checkpoint. CAMARENA was read his Miranda warning and agreed to speak to agents without an attorney present. CAMARENA provided the following information. CAMARENA is the owner of the tractor and is currently renting the trailer. CAMARENA has plans to work as a trucker, but his tractor requires certain repairs to meet the Department of Transportation (DOT) standards to pass inspection. CAMARENA recently purchased parts for his tractor that he believes will get his truck to DOT standards and was driving his tractor and rented trailer to Victoria, Texas from McAllen, Texas to meet with a mechanic who can install the parts at a cheaper price than McAllen mechanics.

CAMARENA said he and his son have been staying in a motel between Donna, Texas and McAllen, Texas while he is working on getting his truck fixed. On the night prior to CAMARENA's encounter with Border Patrol, CAMARENA and his son drove from the motel to the Loves truck stop in Donna where the truck/trailer were parked. CAMARENA had been parking his truck/trailer there for multiple weeks while working to repair it. CAMARENA and

his son parked his pickup, a black GMC Denali, at the Loves truck stop, fueled up the tractor, and got into the tractor/trailer and began driving. CAMARENA said he only stopped one time between Loves and the checkpoint. CAMARENA said he heard a strange noise and pulled over for approximately 5 minutes to inspect the truck for problems before continuing to the checkpoint. At no point did CAMARENA leave the truck or trailer unattended. CAMARENA said his son placed the padlock on the doors to the trailer and that the lock was on the trailer from the time they left Loves until they were encountered by Border Patrol.

Material Witnesses:

BPA Mario Ocana read Miranda warnings to all the aliens in the Spanish language as it is stated in the USBP form I-214. This was witnessed by BPA Camillo Pardo. The three aliens who were held as material witnesses were shown 6-pack photo lineups of CAMARENA and his son by BPA Ocana. All three material witnesses identified CAMARENA and two of the three identified CAMARENA's son. No further interview of those three subjects was conducted until HSI SA Bittner arrived.

SA Bittner and BP Intel Agent Michael Kemper conducted interviews of three material witnesses with the assistance of BPA Camillo Pardo, who translated from English to Spanish. The material witnesses were identified as Juan Jose Lopez FERRUFINO, Josue REYES-Martinez (REYES), and Meyby Esperanza BLANCO-Reyes (BLANCO), all citizens of El Salvador.

FERRUFINO was the first material witness interviewed. FERRUFINO was shown his I-214 and the 6-packs that he was shown earlier and confirmed that all of the documents were his. FERRUFINO provided the following information. FERRUFINO is from El Salvador and illegally crossed the Rio Grande River in a raft on October 05, 2021 near McAllen, Texas. FERRUFINO was briefly taken to a warehouse in McAllen but was then transported to a stash house in Donna, Texas. The stash house was a single-story house. FERRUFINO said he paid approximately \$8,500 for the portion of the trip he completed and was supposed to pay another \$8,000 upon arrival in Houston, Texas. After spending approximately 28 days in the stash house, FERRUFINO was picked up from the stash house at approximately 10:00pm on October 30. FERRUFINO was picked up by CAMARENA and his son (identified in the photo lineups) in a black pickup that FERRUFINO believed to be a Chevrolet Silverado (CAMARENA told agents he drives a black GMC Denali). FERRUFINO was taken from the stash house to an apartment where more people were loaded into the truck and then was driven to a truck stop where they were all loaded, by CAMARENA, into the trailer. FERRUFINO said CAMARENA is the one who closed the trailer doors after he and the other aliens got into the trailers. FERRUFINO waited for approximately 2 hours in the trailer and several other groups showed up and were loaded into the trailer. FERRUFINO's phone was taken by CAMARENA before he entered the trailer.

The next material witness interviewed was REYES. REYES confirmed the I-214 and 6 pack lineups were his. REYES was unable to identify CAMARENA's son in the 6 pack. REYES provided the following information. REYES and his wife (BLANCO) crossed the Rio Grande approximately four days prior to their encounter at the checkpoint. REYES was transported from the stash house by CAMARENA (as identified in the 6-pack) and taken to a tractor/trailer where REYES and his wife were loaded into the trailer by CAMARENA. CAMARENA took REYES'

phone away before he was loaded into the trailer. REYES had difficulty breathing and stated he was fearful for his life because of the heat and lack of air in the trailer. REYES said he could not have gotten out of the trailer had there been an emergency.

The third material witness interviewed was BLANCO, the wife of REYES. BLANCO confirmed the I-214 and the 6 packs as hers. BLANCO provided the following information. BLANCO and her husband crossed the Rio Grande approximately three days prior to their encounter at the checkpoint. BLANCO crossed the river near McAllen, Texas. After crossing, BLANCO and her husband were picked up in a small Nissan sedan and given a phone number. They were told to get out of the car hide in the brush if the car is stopped by police. After hiding, they were instructed to call the phone number to get picked up. BLANCO said the car was stopped by police and that they fled and hid in the brush and called the number to get picked up again. They were then taken to a camper trailer that was parked in front of a house. On the night of the smuggling event, BLANCO and her husband were picked up by CAMARENA in a black pickup and driven to an apartment where approximately 10 people were loaded into the pickup and taken to the trailer. BLANCO said she had difficulty breathing after being loaded into the trailer and that it was very hot inside the trailer. BLANCO could not get out of the trailer in the event of an emergency.

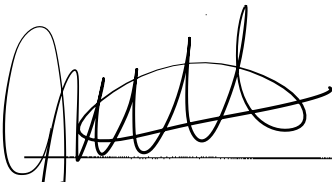
All three material witnesses stated the vehicle did not make any stops after leaving the truck stop where the final aliens were loaded. No exculpatory statements were made by any aliens.

SA Bittner contacted AUSA Robert Thorpe who accepted the case for prosecution against Luis Alberto CAMARENA for violation of Title 8 U.S.C. § 1324 – Alien Smuggling. BLANCO, REYES, and FERRUFINA were held as material witnesses. Prosecution against the juvenile passenger was declined.



Kevin Bittner
Special Agent
Homeland Security Investigations

Submitted by electronic means, sworn to, signature
attested telephonically per Fed. R. Crim. P. 4.1, and
probable cause found on this day November 1st, 2021:



Julie K. Hampton
United States Magistrate Judge